

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

Robert LeRoy,

Plaintiff

v.

Palisades Collection L.L.C,

Defendant

FILED ELECTRONICALLY

COMPLAINT

I. Introduction

1. This is an action for damages brought by an individual consumer for violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (“the Act”) which prohibits debt collectors from engaging in abusive, unfair, and deceptive practices.

II. Jurisdiction and Venue

2. Jurisdiction of this Court is proper pursuant to 15 U.S.C. § 1692k(d), which permits an action under the Act to be brought in any court of competent jurisdiction.

3. Venue in this district is proper in that Defendant transacts business here and the conduct complained of is alleged to have occurred here.

III. Parties

4. Plaintiff, Robert LeRoy, is a natural person residing at 95 Madison St., Wilkes Barre, PA 18702.

5. Defendant, Palisades Collection L.L.C, (“the Collector”) is a limited liability corporation engaged in the business of collecting debts in this state with a place of business located at P.O. Box 1274, Englewood Cliffs, NJ 07632.

6. The Collector is a “debt collector” as defined by the Act, 15 U.S.C. § 1692a(6).

IV. Statement of Claim

7. On or before April 12, 2009, the Collector began attempting to collect an alleged account (“the Account”) from Plaintiff.

8. The Account is a “debt” as that term is defined by the Act, 15 U.S.C. § 1692a(5).

9. The collector regularly uses the telephone and mails to attempt to collect consumer debts alleged to be due another.

10. On April 12, 2009, the Collector caused at least one (1) telephone call (“*the Call*”) to be placed to phone number (570) 762-6790.

11. The aforementioned phone number(s) were assigned to the address identified in paragraph 4 at all times relevant to this matter.

12. During *the Call*, an employee of the Collector left a message (“*the Message*”) for Plaintiff.

13. 15 U.S.C. § 1692e(10) prohibits a debt collector from using any false representation or deceptive means to collect a debt or obtain location information about a consumer.

14. In *the Message*, the caller made a statement, in pertinent part, as follows: “It is imperative that you contact us as soon as possible”.

15. The statement referenced in paragraph 14 created a false sense of urgency that Plaintiff was required to take immediate action to avoid adverse consequences.

16. The statement referenced in paragraph 14 was false and deceptive, in that it created the false urgency, in an attempt to garner a return call or payment from Plaintiff.

17. The statement referenced in paragraph 14 violated 15 U.S.C. § 1692e(10).

18. *The Call* and *Message* were attempts to collect the Account.

WHEREFORE, Plaintiff demands judgment against Defendant for damages, costs, attorney’s fees, and such other and further relief as the Court deems just and proper.

V. Demand for Jury Trial

19. Plaintiff demands a trial by jury as to all issues so triable.

Respectfully Submitted,

s/ Kenneth W. Pennington
Kenneth W. Pennington
Bar Number PA 68353
Attorney for Plaintiff
Sabatini Law Firm, LLC
216 N. Blakely St.
Dunmore, PA 18512
Phone (570) 341-9000
Facsimile (570) 504-2769
Email kpecf@bankruptcypa.com